

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 04-4977 (DSD/SRN)

Robert Anthony; Bisciglia  
and Anne Therese; Bisciglia,

Plaintiffs,

v.

**ORDER**

James Lee, individually and as  
Agent for Minnesota Revenue  
Department, et al.; Rhonda L. Boese,  
individually and as agent for RBC  
Dain Rauscher, et al.; John  
Doe(s); and RBC Dain Rauscher, Inc.,

Defendants.

This matter is before the court upon plaintiffs' objection to the report and recommendation of United States Magistrate Judge Susan R. Nelson, dated April 1, 2005. In her report, the magistrate judge concluded that defendants' motions for judgment on the pleadings and to dismiss for lack of jurisdiction should be granted.

The court reviews the reports and recommendations of the magistrate judge de novo. 28 U.S.C. § 636(b)(1)(C). Plaintiffs' objection consists of a copy of the magistrate judge's report and recommendation upon each page of which plaintiffs have emblazoned the following nonsense: "OBJECTION 'Refused for Cause Without

Dishonor and, Without Recourse to Me.'"<sup>1</sup> After de novo review of the file and record, the court cannot escape the conclusion that plaintiffs' objection is frivolous.

Therefore, the court adopts the report and recommendation of the magistrate judge in its entirety. Accordingly, **IT IS HEREBY ORDERED** that:

1. The motion for judgment on the pleadings filed by defendants RBC Dain Rauscher and Rhonda L. Boese [Doc. No. 11] is granted.

2. The motion to dismiss for lack of jurisdiction filed by defendant James Lee [Doc. No. 16] is granted.

3. Plaintiffs are not to correspond directly with defendants, but to direct any future correspondence to defendants' counsel only.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 3, 2005

s/David S. Doty  
David S. Doty, Judge  
United States District Court

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<sup>1</sup> There exists a segment of the community which believes the phrase is a talisman and that those who use it will be immunized from all manner of legal process. See generally Michael D. Johnson, The Ostrich Defense: Internet Scams in Consumer Credit Collection, Bench & Bar of Minn., Mar. 2004. Plaintiffs should take notice that such a belief is erroneous.